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**From:** Marsh, Karen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=03408BEA5D5B4030BE80FA390ED47026-MARSH, KARE]  
**Sent:** 7/31/2018 2:27:08 PM  
**To:** Hambrick, Amy [Hambrick.Amy@epa.gov]; DeFigueiredo, Mark [DeFigueiredo.Mark@epa.gov]  
**CC:** Eisele, Adam [Eisele.Adam@epa.gov]  
**Subject:** RE: Draft response for your review

Hi Mark,

From the RTC we stated the following regarding EOR well sites:

Comment from API (EPA/HQ-OAR-2010-0505-6884, excerpt 114):

Following are the conclusions regarding EOR.

- EOR fields are very different from the types of operations EPA evaluated in the development of the proposed NSPS Subpart OOOOa requirements.
- The gas streams at EOR fields have an inert gas content radically higher than the representative gas composition used by EPA in the evaluation of control options for subpart OOOOa.
- These differences will have a significant impact on the VOC and methane baseline emissions, emission reductions, and cost effectiveness.
- Based on the fact that EPA did not once mention EOR in the preamble or background documents, it is clear that there was no evaluation conducted for this segment of the oil and natural gas industry.

Given these facts, EPA must include an exemption for EOR operations from the fugitive leak requirements in NSPS subpart OOOOa. Recommended regulatory changes are provided in Section 27.2.12.

If EPA elects not to incorporate the changes suggested by API above, EPA cannot require EOR fields to comply with the fugitive leak requirements in NSPS subpart OOOOa without a full evaluation of emissions, controls, costs, and impacts specific to these unique operations in the oil and natural gas industry and a separate proposal that provides the rational for any rulemaking for EOR operations. If EPA chooses to follow the path, EPA will work with EPA to gather accurate information for their analysis.

**Response:** We disagree with the commenter. The collection of fugitive emissions component at all well sites, including enhanced oil recovery fields, are affected facilities and must meet the requirements of the fugitive emissions monitoring and repair program.

Suggested response to this question:

## Ex. 5 Deliberative Process (DP)

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Karen R. Marsh, PE  
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Fuels and Incineration Group

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**From:** Hambrick, Amy  
**Sent:** Monday, July 30, 2018 9:44 AM  
**To:** DeFigueiredo, Mark <DeFigueiredo.Mark@epa.gov>; Marsh, Karen <Marsh.Karen@epa.gov>  
**Cc:** Eisele, Adam <Eisele.Adam@epa.gov>  
**Subject:** RE: Draft response for your review

Thanks Mark! One minor edit from me. + Karen for her review too.

Amy Hambrick  
U.S. Environmental Protection Agency  
(919)541-0964

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**From:** DeFigueiredo, Mark  
**Sent:** Monday, July 30, 2018 7:56 AM  
**To:** Hambrick, Amy <Hambrick.Amy@epa.gov>  
**Cc:** Eisele, Adam <Eisele.Adam@epa.gov>  
**Subject:** Draft response for your review

Hi Amy - I received a question (at the bottom of this email) from a stakeholder regarding applicability of fugitives requirements to Subpart W and OOOOa at enhanced oil recovery operations. Would you mind taking a look at my draft response and letting me know if you have any edits? I have green highlighted the portion of the response relating to OOOOa. Thank you for your help!! -Mark

#### Draft Response

## Ex. 5 Deliberative Process (DP)

**From:** Jeff Brown [mailto:[Ex.6PersonalPrivacy\(PP\)@gmail.com](mailto:Ex.6PersonalPrivacy(PP)@gmail.com)]  
**Sent:** Thursday, July 12, 2018 7:01 PM

**To:** DeFigueiredo, Mark <DeFigueiredo.Mark@epa.gov>; Kurt Waltzer <kwaltzer@catf.us>

**Subject:** Question

Dear Mark:

I wish the CCC had put me in touch with you before the meeting. I would have benefitted from confirming various things before the meeting today. I look forward to getting clarification about some of the things you discussed while I was being driven around Texas by my Uber driver.

What you said in the meeting, I thought, was that the requirement for CO2-EOR to do specific measurements of leaks at well sites and to either apply Method 21 or to use OGIs:

1. Applied only to new gas production wells, and thus not to
2. new CO2 EOR new production wells, nor to
3. new CO2 EOR injection wells.

If that is true, then Subpart W continues to have a big loophole in not having to look for leaks at wellhead itself.

How would one confirm that? The rules are so long and intricate, that for a non industry specialist they are quite hard to interpret. As I understood, a facility that is an "affected facility" under 0000a has to change its methodology under Subpart W. At a high level the changes apply to "well sites" but there are lots of definitions and exclusions.

My question is what the following means, clipped from the Final Rule for changes to W driven by 0000a.

(i) Except as provided in § 60.5365a(i)(2), the collection of fugitive emissions components at a well site, as defined in § 60.5430a, is an affected facility.

(1) {Reserved}

(2) A well site that only contains one or more wellheads is not an affected facility under this subpart. The affected facility status of a separate tank battery surface site has no effect on the affected facility status of a well site that only contains one or more wellheads.

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